

AGENDA
DANIA BEACH CITY COMMISSION
FIRST BUDGET PUBLIC HEARING
THURSDAY, SEPTEMBER 12, 2019 - 5:01 PM

ANY PERSON WHO DECIDES TO APPEAL ANY DECISION MADE WITH REGARD TO ANY MATTER CONSIDERED AT THIS MEETING OR HEARING WILL NEED A RECORD OF THE PROCEEDING, AND FOR SUCH PURPOSE MAY NEED TO ENSURE THAT A VERBATIM RECORD OF THE PROCEEDING IS MADE WHICH RECORD INCLUDES THE TESTIMONY AND EVIDENCE UPON WHICH THE APPEAL IS TO BE BASED.

LOBBYIST REGISTRATION IS REQUIRED. PRIOR TO ENGAGING IN ANY LOBBYING ACTIVITIES, WHETHER OR NOT COMPENSATION IS PAID OR RECEIVED IN CONNECTION WITH THOSE ACTIVITIES, EACH LOBBYIST SHALL FILE WITH THE CITY CLERK AN ANNUAL REGISTRATION STATEMENT AND PAY AN ANNUAL ONE HUNDRED DOLLARS (\$100.00) REGISTRATION FEE FOR EACH PRINCIPAL OR EMPLOYER. REGISTRATION FORMS ARE AVAILABLE IN THE CITY CLERK'S OFFICE, OR ON THE CITY WEBSITE: WWW.DANIABEACHFL.GOV. (ORDINANCE #2012-019)

IN ACCORDANCE WITH THE AMERICANS WITH DISABILITIES ACT, PERSONS NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE CITY CLERK'S OFFICE, 100 W. DANIA BEACH BOULEVARD, DANIA BEACH, FL 33004, (954) 924-6800 EXTENSION 3624, AT LEAST 48 HOURS PRIOR TO THE MEETING.

IN CONSIDERATION OF OTHERS, WE ASK THAT YOU:

- A. PLEASE TURN CELL PHONES OFF, OR PLACE ON VIBRATE. IF YOU MUST MAKE A CALL, PLEASE STEP OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.
- B. IF YOU MUST SPEAK TO SOMEONE IN THE AUDIENCE, PLEASE SPEAK SOFTLY OR GO OUT INTO THE ATRIUM, IN ORDER NOT TO INTERRUPT THE MEETING.

1. CALL TO ORDER/ROLL CALL

2. PRESENTATIONS

3. PUBLIC HEARINGS

1. RESOLUTION NO. 2019-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING THE PROPOSED MILLAGE RATE NECESSARY TO BE LEVIED FOR THE FISCAL YEAR 2019-2020 FOR OPERATING PURPOSES; ESTABLISHING THE DEBT MILLAGE APPROVED BY THE ELECTORATE; PROVIDING FOR A PUBLIC HEARING WHEN AND WHERE OBJECTIONS MAY BE HEARD AND QUESTIONS CONCERNING THE SAME WILL BE ANSWERED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

2. RESOLUTION NO. 2019-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE IMPOSITION OF FIRE RESCUE ASSESSMENTS AND PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF DANIA BEACH, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS WITH UPDATED ASSESSMENT RATES AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATES OF ASSESSMENT; APPROVING THE FINAL ASSESSMENT ROLL;

CONFIRMING AND SUPPLEMENTING THE PRELIMINARY RATE RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING AN EFFECTIVE DATE.

3. RESOLUTION NO. 2019-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES IN THE CITY OF DANIA BEACH, FLORIDA; IMPOSING AND RE-IMPOSING STORMWATER ASSESSMENTS AGAINST PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. RESOLUTION NO. 2019-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICE ASSESSMENTS IN THE CITY OF DANIA BEACH, FLORIDA; RE-IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

5. RESOLUTION NO. 2019-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING A TENTATIVE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR 2019-2020; PROVIDING FOR A PUBLIC HEARING WHEN OBJECTIONS WILL BE HEARD AND QUESTIONS CONCERNING THE BUDGET WILL BE ANSWERED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

4. ADJOURNMENT

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING THE PROPOSED MILLAGE RATE NECESSARY TO BE LEVIED FOR THE FISCAL YEAR 2019-2020 FOR OPERATING PURPOSES; ESTABLISHING THE DEBT MILLAGE APPROVED BY THE ELECTORATE; PROVIDING FOR A PUBLIC HEARING WHEN AND WHERE OBJECTIONS MAY BE HEARD AND QUESTIONS CONCERNING THE SAME WILL BE ANSWERED

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

R-2019- Proposed Millage Rate

RESOLUTION NO. 2019-103

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING THE PROPOSED MILLAGE RATE NECESSARY TO BE LEVIED FOR THE FISCAL YEAR 2019-2020 FOR OPERATING PURPOSES; ESTABLISHING THE DEBT MILLAGE APPROVED BY THE ELECTORATE; PROVIDING FOR A PUBLIC HEARING WHEN AND WHERE OBJECTIONS MAY BE HEARD AND QUESTIONS CONCERNING THE SAME WILL BE ANSWERED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter of the City of Dania Beach, Florida, requires that the City Commission shall, by Resolution, adopt an annual budget, determine the amount of millage necessary to be levied and publish the budget so adopted, together with a notice stating the time and place where objections may be heard and questions concerning the objections will be answered; and

WHEREAS, the City Manager of the City of Dania Beach, Florida, has prepared and submitted to the City Commission an annual report covering the operation of the City and has set forth in it an estimate of the expenditures and revenues of the City for the ensuing year beginning October 1, 2019 and ending September 30, 2020, with sufficient copies of such report and estimate being on file in the office of the City Clerk, so that any interested parties may obtain copies upon request; and

WHEREAS, pursuant to the referendum approved by the voters of the City in the March 2005 Election, the issuance of General Obligation Bonds in an amount not to exceed \$10,300,000.00 was authorized; and

WHEREAS, the City has issued an initial General Obligation Bond in the amount of \$10,300,000.00 and the City will be levying a debt millage equal to 0.1690 mills toward the payment of principal and interest on the Bond; and

WHEREAS, the City Manager has presented to the City Commission detailed information supporting such estimate, affording the City Commission a comprehensive understanding of the City Government for the ensuing period identified above, including expenditures for corresponding items during the last two fiscal years and increase and decrease

demands for the ensuing year as compared with corresponding appropriations for the last fiscal year; and

WHEREAS, the City Commission has met and carefully considered the annual report and estimate and has determined and fixed the amount necessary to carry on the government of the City for the ensuing year, has prepared a tentative budget setting forth the amounts necessary to be raised for the various departments of the City, and has appropriated such amounts to the various departments of the City considering the applicable funds on hand and the estimated departmental revenues; and

WHEREAS, the City Commission has determined that in order to produce a sufficient sum to fund the tentative proposed budget, it is necessary that an operating millage of 5.9998 mills be levied against ad valorem valuation of property subject to taxation in the City of Dania Beach; and

WHEREAS, the “rolled back rate” as computed in accordance with the provisions of Section 200.065(1), Florida Statutes, is 5.9305 mills; and

WHEREAS, the proposed millage reflects a 1.17% increase over the rolled-back rate;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That the proposed operating millage necessary to be levied against ad valorem valuation of property subject to taxation in the City of Dania Beach to produce a sufficient sum, which, together with departmental revenue will be adequate to pay the appropriations made in the tentative budget, is as follows:

FOR OPERATING BUDGET:

(GENERAL MUNICIPAL MILLAGE) 5.9998 mills

Section 2. That the proposed millage rate is a 1.17% increase over the rolled back rate of 5.9305 mills as computed in accordance with the provisions of Section 200.065(1), Florida Statutes.

Section 3. That the voted debt service millage rate is 0.1690 mills in accordance with the provisions of law pursuant to Chapter 200, Florida Statutes.

Section 4. That the City’s aggregate millage rate is 6.1688 mills (5.9998 mills for operating and 0.1690 mills for debt service).

Section 5. That the City Commission of the City of Dania Beach will meet in the City Commission Chamber in the City Hall (100 West Dania Beach Boulevard, Dania Beach, Florida 33004) on September 23, 2019 at 5:01 p.m. for the purpose of adopting the above stated millage rate and answering questions concerning it. The City Manager shall specify the purposes for which ad valorem tax revenues are being increased, if any, over the “rolled back rate”. A notice of this public hearing shall be published in compliance with the provisions of Section 200.065(2) (d) and Section 200.065(3), Florida Statutes.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Resolution shall take effect and be in force immediately upon its passage and adoption.

PASSED AND ADOPTED on September 12, 2019.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION RELATING TO THE IMPOSITION OF FIRE RESCUE ASSESSMENTS AND PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF DANIA BEACH, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS WITH UPDATED ASSESSMENT RATES AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATES OF ASSESSMENT; APPROVING THE FINAL ASSESSMENT ROLL; CONFIRMING AND SUPPLEMENTING THE PRELIMINARY RATE RESOLUTION

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

R-2019- Final Fire Assessment Fees

RESOLUTION NO. 2019-104

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE IMPOSITION OF FIRE RESCUE ASSESSMENTS AND PROVISION OF FIRE PROTECTION SERVICES, FACILITIES AND PROGRAMS IN THE CITY OF DANIA BEACH, FLORIDA; REIMPOSING FIRE RESCUE ASSESSMENTS WITH UPDATED ASSESSMENT RATES AGAINST ASSESSED PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATES OF ASSESSMENT; APPROVING THE FINAL ASSESSMENT ROLL; CONFIRMING AND SUPPLEMENTING THE PRELIMINARY RATE RESOLUTION; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City of Dania Beach, Florida, (City) enacted Ordinance No. 10-96 (Ordinance) which authorizes the imposition of Fire Rescue Assessments for fire protection services, facilities, and programs against Assessed Property located within the City; and

WHEREAS, the reimposition of a Fire Rescue Assessment for fire protection services, facilities, and programs each fiscal year is an equitable and efficient method of allocating and apportioning the Fire Assessed Cost among parcels of Assessed Property; and

WHEREAS, the City desires to reimpose a Fire Rescue Assessment within the City using the procedures provided by the Ordinance, including the tax bill collection method for the Fiscal Year beginning on October 1, 2019; and

WHEREAS, the City Commission, on July 30, 2019, adopted Resolution No. 2019-066 (2019 Preliminary Rate Resolution) as confirmed, supplemented and amended in this Resolution, containing and referencing a brief and general description of the fire protection facilities, services and programs to be provided to Assessed Property, describing the method of apportioning the Fire Assessed Cost to compute the Fire Rescue Assessment for fire protection services, facilities, and programs against Assessed Property, updating and estimating a rate of assessment, and directing the updating and preparation of the Assessment Roll, and provision of published notice and mailed notice required by the Ordinance; and

WHEREAS, in order to reimpose Fire Rescue Assessments for the Fiscal Year beginning October 1, 2019, the Ordinance requires the City Commission during its budget adoption process for each Fiscal Year to adopt an Annual Rate Resolution which establishes

the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has previously been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed as required by the terms of the Ordinance and Florida Statutes; and

WHEREAS, a public hearing was held on September 12, 2019, and comments and objections of all interested persons have been heard and considered as required by the terms of the Ordinance; and

WHEREAS, the City Commission of the City of Dania Beach, Florida deems it to be in the best interest of the citizens and residents of the City to adopt this Annual Resolution;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. Authority. This Resolution is adopted pursuant to the provisions of Ordinance No. 10-96 (Ordinance) (codified as Chapter 23, Article VIII of the City of Dania Beach Code of Ordinances), the Initial Assessment Resolution (Resolution No. 63-96, also referred to as Resolution No. 1996-63); the Final Assessment Resolution (Resolution No. 72-96, also referred to as Resolution No. 1996-72); and all subsequent Fire Assessment Resolutions, including Resolution No. 2019-066 and Florida Statutes Chapter 170 and Sections 166.021 and 166.041, and other applicable provisions of law.

Section 2. Definitions and Interpretation. This Resolution constitutes the Annual Rate Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in the Ordinance, the Initial Assessment Resolution, as amended, the Final Assessment Resolution, as amended, subsequent Preliminary and Annual Resolutions, as amended, and the 2019 Preliminary Rate Resolution (Resolution No. 2019-066), as may be amended by this Annual Resolution.

Section 3. Reimposition of Fire Rescue Assessments.

(a) The parcels of Assessed Property described in the Assessment Roll, as updated, which is amended as needed and approved, are found to be specially benefited by the provision of the fire protection services, facilities, and programs described or referenced in the Preliminary Rate Resolution, in the amount of the Fire Rescue Assessment set forth in the updated Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and is incorporated into this Resolution by this reference. It is ascertained, determined and declared that each parcel of Assessed Property within the City will be specially benefited by the City's provision of fire protection services, facilities, and programs in an amount not less than the Fire Rescue Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution. Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance, the Initial Assessment Resolution, as amended, the Final Assessment Resolution, as amended, and the subsequent Preliminary and Annual Rate Resolutions, as amended and supplemented by Resolution No. 2019-066 and this Annual Resolution, from the fire protection services, facilities, or programs to be provided and a legislative determination that the Fire Rescue Assessments are fairly and reasonably apportioned among the properties that receive the special benefit.

(b) The method for computing Fire Rescue Assessments and the Parcel Apportionment methodology referenced in the Preliminary Rate Resolution adopted by the City Commission are approved and reaffirmed. The Fire Rescue Assessments to be assessed and apportioned among benefited parcels pursuant to the Cost Apportionment and Parcel Apportionment to generate the estimated Fire Assessed Cost for the Fiscal Year commencing October 1, 2019, are established as follows:

FY2019-20 Fire Rescue Assessment Rates

PROPERTY USE CATEGORIES	RATE BASIS	RATE
Residential	Per Dwelling Unit	\$223.75
Vacant	Per Acre	\$204.96
Commercial	Building Area In Square Feet	
	≤ 1,999	\$1,060.04
	2,000 – 3,499	\$1,457.55
	3,500 – 4,999	\$2,257.88
	5,000 – 9,999	\$3,975.15
	10,000 – 19,999	\$7,950.29
	20,000 – 29,999	\$13,250.49
	30,000 – 39,999	\$18,550.68
	40,000 – 49,999	\$23,850.88
	≥ 50,000	\$26,500.97
Industrial/Warehouse	Building Area In Square Feet	
	≤ 1,999	\$190.54
	2,000 – 3,499	\$261.99
	3,500 – 4,999	\$405.85
	5,000 – 9,999	\$714.52
	10,000 – 19,999	\$1,429.04
	20,000 – 29,999	\$2,381.73
	30,000 – 39,999	\$3,334.42
	40,000 – 49,999	\$4,287.11
	≥ 50,000	\$4,763.46

(c) The above rates of assessment are finally approved. Fire Rescue Assessments for fire protection services, facilities, and programs in the amounts set forth in the updated Assessment Roll, as amended in this Resolution and approved, are levied and reimposed on all parcels of Assessed Property described in such Assessment Roll for the Fiscal Year beginning October 1, 2019.

(d) No Fire Rescue Assessment shall be imposed upon a parcel of Government Property or upon Buildings the use of which is wholly exempt from ad valorem taxation under Florida law. Any shortfall in the expected Fire Rescue Assessment proceeds due to any reduction or exemption from payment of the Fire Rescue Assessments required by law or authorized by the City Commission shall be supplemented by any legally available funds, or combination of such funds, and shall not be paid for by proceeds or funds derived from the Fire Rescue Assessments.

(e) As authorized in Sec. 23-107, City of Dania Beach Code of Ordinances, Interim Fire Rescue Assessments are also levied and imposed against all property for which a certificate of occupancy is issued after adoption of this Annual Rate Resolution based upon the rates of assessment approved in this Resolution.

(f) Fire Rescue Assessments shall constitute a lien upon the Assessed Property so assessed equal in rank and dignity with the liens of all state, county, district, or municipal taxes and other non-ad valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles, and claims until paid.

(g) The Assessment Roll, as approved in this Resolution, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

Section 4. Amendment and Confirmation of Preliminary Rate Resolution and Methodology Report. The 2019 Preliminary Rate Resolution No. 2019-066, as may have been modified, supplemented and amended in this Resolution, is confirmed.

Section 5. Effect of Adoption of Resolution. The adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the Assessed Property, the

method of apportionment and assessment, the rate of assessment, the Assessment Roll, the sufficiency of notice, and the levy and lien of the Fire Rescue Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within 20 days from the adoption of this Annual Rate Resolution.

Section 6. Conflicts. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. Effective Date. This Annual Rate Resolution shall take effect immediately upon its passage and adoption.

PASSED and ADOPTED on September 12, 2019.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES IN THE CITY OF DANIA BEACH, FLORIDA; IMPOSING AND RE-IMPOSING STORMWATER ASSESSMENTS AGAINST PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

R-2019- Final Stormwater Assessment Fee

RESOLUTION NO. 2019-105

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE PROVISION OF STORMWATER MANAGEMENT SERVICES IN THE CITY OF DANIA BEACH, FLORIDA; IMPOSING AND RE-IMPOSING STORMWATER ASSESSMENTS AGAINST PROPERTY LOCATED WITHIN THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Dania Beach, Florida, enacted Ordinance No. 13-96, as amended (the "Stormwater Utility Ordinance"), which authorizes the imposition of Stormwater Assessments for Stormwater Management, capital and administrative services against property located within the City; and

WHEREAS the imposition and re-imposition of a Stormwater Assessment for Stormwater Management Services each fiscal year is an equitable and efficient method of allocating and apportioning Stormwater Service Costs among parcels of property; and

WHEREAS, the City Commission desires to impose and re-impose a stormwater assessment program within the City using the tax bill collection method for the Fiscal Year beginning on October 1, 2019; and

WHEREAS, the City Commission, on July 30, 2019, adopted a preliminary rate of \$40.00 per ERU ("Equivalent Residential Unit"), containing and referencing a brief and general description of the Stormwater management, capital and administrative services to be provided to property, describing the method of apportioning the Stormwater Service Cost for Stormwater management, capital and administrative services against property, estimating a rate of assessment and directing the updating and preparation of the Stormwater Assessment Roll for the upcoming Fiscal Year and provision of published notice required by the Stormwater Utility Ordinance and mailed notice only in the event circumstances described in section 197.3632(4)(a), Florida Statutes, so require; and

WHEREAS, in order to re-impose Stormwater Assessments for the Fiscal Year beginning October 1, 2019, the Stormwater Utility Ordinance requires the City Commission to adopt an Annual Stormwater Assessment Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the Stormwater Assessment

Roll for the upcoming Fiscal Year with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Stormwater Assessment Roll has previously been made available for inspection by the public, as required by the Stormwater Utility Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed as required by the terms of the Stormwater Utility Ordinance, which provides notice to all interested parties of an opportunity to be heard; and

WHEREAS, a public hearing was held on September 12, 2019, and comments and objections of all interested parties have been heard and considered as required by the terms of the Stormwater Utility Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. Authority. This Resolution is adopted pursuant to the Stormwater Utility Ordinance, the Preliminary Rate Resolution, Article VIII, Section 2 of the Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 2. Definitions and Interpretation. This Resolution constitutes the Annual Stormwater Assessment Resolution as defined in the Stormwater Utility Ordinance. All capitalized terms in this Resolution shall have the meanings defined in such Stormwater Utility Ordinance, the Initial Stormwater Assessment Resolution (Resolution No. 73-96), the Final Stormwater Assessment Resolution (Resolution No. 86-96, as amended and supplemented by Resolution No. 103-96 and Resolution No. 116-96) and an action which approved the Preliminary Rate on July 30, 2019 taken by the City Commission.

Section 3. Imposition and Re-imposition of Stormwater Assessments.

(A) The tax parcels of property described in the Stormwater Assessment Roll, as updated, which are approved, are found to be specially benefited by the provision of the Stormwater management, capital and administrative services described or referenced in the Preliminary Rate Resolution in the amount of the Stormwater Assessment set forth in the updated Stormwater Assessment Roll, a copy of which was present or available for inspection at the above referenced public hearing and it is incorporated by this reference. It is ascertained, determined and declared that the estimated gross revenue to be derived from the imposition of Stormwater Assessments at the rate of \$40.00 per ERU is \$2,020,194.40. Adoption of this

Annual Stormwater Assessment Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Stormwater Utility Ordinance, the Initial Stormwater Assessment Resolution, the Final Stormwater Assessment Resolution, as amended, and the Preliminary Rate Resolution from the Stormwater management, capital and administrative services to be provided and a legislative determination that the Stormwater Assessments are fairly and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(B) The method for computing Stormwater Assessments described or referenced in the Preliminary Rate Resolution, inclusive of the Mitigation Credit Policy adopted in the amended Stormwater Utility Ordinance, is approved.

(C) Based upon the rates of assessment approved, an interim Stormwater Assessment shall be imposed against all property for which a Certificate of Occupancy is issued or for which a change in land use occurs after adoption of the Annual Stormwater Assessment Resolution. The amount of the interim Stormwater Assessment shall be calculated upon a monthly rate, which shall be one-twelfth of the annual rate for such property computed in accordance with the Annual Stormwater Assessment Resolution for the Fiscal Year in which the Certificate of Occupancy is issued or change in land use occurs. Such monthly rate shall be imposed for each full calendar month remaining in the Fiscal Year. In addition to the monthly rate, the interim Stormwater Assessment shall also include an estimate of the subsequent Fiscal Year's Stormwater Assessment. No Certificate of Occupancy shall be issued until full payment of the interim Stormwater Assessment is received by the City. Issuance of the Certificate of Occupancy by mistake or inadvertence, and without the payment in full of the interim Stormwater Assessment, shall not relieve the owner of such property of the obligation to make full payment. For the purpose of this provision, such interim Stormwater Assessment shall be deemed due and payable on the date the Certificate of Occupancy was issued and shall constitute a lien against such property as of that date. Such lien shall be equal in rank and dignity with the liens of all state, county, district or municipal taxes and special assessments and superior in rank and dignity to all other liens, encumbrances, titles and claims in and to or against the real property involved and shall be deemed perfected upon the issuance of the Certificate of Occupancy.

(D) Stormwater Assessments shall constitute a lien upon the property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other Non-Ad Valorem assessments. Except as otherwise provided by law, such lien shall be superior in dignity to all other liens, titles and claims, until paid.

Section 4. That the Preliminary Rate Resolution is confirmed.

Section 5. That the adoption of this Annual Stormwater Assessment Resolution shall be the final adjudication of the issues presented (including, but not limited to, the determination of special benefit and fair apportionment to the property, the method of apportionment and assessment, the rate of assessment, the Stormwater Assessment Roll and the levy and lien of the Stormwater Assessments), unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of adoption of this Annual Stormwater Assessment Resolution.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Annual Stormwater Assessment Resolution shall take effect October 1, 2019.

PASSED and ADOPTED on September 12, 2019.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION RELATING TO THE PROVISION OF SOLID WASTE SERVICE ASSESSMENTS IN THE CITY OF DANIA BEACH, FLORIDA; RE-IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL

Purchasing Requests ONLY

Dept:	Acct #:	Amt:
Fund:		

Fiscal Impact/Cost Summary

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Exhibits Attached

R-2019- Final Solid Waste Assessment Fee

RESOLUTION NO. 2019-106

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, RELATING TO THE PROVISION OF SOLID WASTE SERVICE ASSESSMENTS IN THE CITY OF DANIA BEACH, FLORIDA; RE-IMPOSING SOLID WASTE SERVICE ASSESSMENTS AGAINST ASSESSED PROPERTY LOCATED WITHIN THE BOUNDARIES OF THE CITY OF DANIA BEACH FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2019; APPROVING THE RATE OF ASSESSMENT; APPROVING THE ASSESSMENT ROLL; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Commission of the City of Dania Beach, Florida, enacted Ordinance No. 09-96 (the "Ordinance"), which authorizes the imposition of Solid Waste Service Assessments for Solid Waste Collection and Disposal Services, facilities or programs against assessed property located within the City; and

WHEREAS, Solid Waste Service Assessments are not being imposed upon all improved properties within the City, as certain improved properties are subject to direct billing arrangements with an authorized commercial collection service provider for collection and disposal of Solid Waste; and

WHEREAS, the re-imposition of a Solid Waste Service Assessment for Solid Waste Collection and Disposal Services, facilities or programs less than City-wide is an equitable and efficient method of allocating and apportioning the Solid Waste cost among parcels of assessed property located in those incorporated areas of the City annexed pursuant to Chapter 90-483, "Laws of Florida" (the "Griffin Road Annexation Area") and annexed pursuant to Chapter 2000-474, "Laws of Florida" (collectively referred to as the "Solid Waste Assessment Area"); and

WHEREAS, the re-imposition of a Solid Waste Service Assessment for Solid Waste Collection and Disposal Services, facilities or programs each fiscal year is an equitable and efficient method of allocating and apportioning the Solid Waste cost among parcels of assessed property; and

WHEREAS, the City Commission on July 30, 2019, adopted Resolution No. 2019-067 (the "Preliminary Rate Resolution"), containing and referencing a brief and general description of the Solid Waste Collection and Disposal Services, facilities or programs to be provided to assessed property, describing the method of apportioning the Solid Waste cost for Solid Waste

Collection and Disposal Services, facilities or programs against assessed property, estimating a rate of assessment and directing the updating and preparation of the Assessment Roll for the upcoming Fiscal Year beginning October 1, 2019 and the provision of published notice required by the Ordinance and mailed notice, if circumstances described in Section 2.08(F) of the Ordinance so require; and

WHEREAS, in order to re-impose Solid Waste Service Assessments for the Fiscal Year beginning October 1, 2019, the Ordinance requires the City Commission to adopt an Annual Rate Resolution during its budget adoption process for each Fiscal Year, which establishes the rate of assessment and approves the Assessment Roll for the upcoming Fiscal Year, with such amendments as the City Commission deems appropriate, after hearing comments and objections of all interested parties; and

WHEREAS, the updated Assessment Roll has previously been made available for inspection by the public, as required by the Ordinance; and

WHEREAS, notice of a public hearing has been published and mailed as required by the terms of the Ordinance, which provides notice to all interested parties of an opportunity to be heard; and

WHEREAS, a public hearing was held on September 12, 2019, during which comments and objections of all interested parties were heard and considered, as required by the terms of the Ordinance;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That this Resolution is adopted pursuant to the Ordinance, the Preliminary Rate Resolution, Article VIII, Section 2 of the Florida Constitution, Sections 166.021 and 166.041, Florida Statutes, and other applicable provisions of law.

Section 2. That this Resolution constitutes the Annual Rate Resolution as defined in the Ordinance. All capitalized terms in this Resolution shall have the meanings defined in such Ordinance, the Initial Assessment Resolution (Resolution No. 64-96), the Final Assessment Resolution (Resolution No. 71-96), and the Preliminary Rate Resolution.

Section 3.

(A) The parcels of assessed property described in the Assessment Roll, which Roll is approved, are found to be specially benefitted by the provision of the Solid Waste Collection and Disposal Services, facilities or programs described or referenced in the Preliminary Rate Resolution in the amount of the Solid Waste Service Assessment set forth in the updated Assessment Roll, a copy of which was present and available for inspection at the above-referenced public hearing and is incorporated into and made a part of this Resolution by this reference. It is ascertained, determined and declared that each parcel of assessed property within the City will be specially benefitted by the City's provision of Solid Waste Collection and Disposal Services, facilities or programs in an amount not less than the Solid Waste Service Assessment for such parcel, computed in the manner set forth in the Preliminary Rate Resolution. Adoption of this Annual Rate Resolution constitutes a legislative determination that all parcels assessed derive a special benefit in a manner consistent with the legislative declarations, determinations and findings as set forth in the Ordinance, the Initial Assessment Resolution, the Final Assessment Resolution and the Preliminary Rate Resolution from the Solid Waste Collection and Disposal Services, facilities or programs to be provided, and a legislative determination that the Solid Waste Service Assessments are fair and reasonably apportioned among the properties that receive the special benefit as set forth in the Preliminary Rate Resolution.

(B) The method for computing Solid Waste Service Assessments described or referenced in the Preliminary Rate Resolution is approved.

(C) For the Fiscal Year beginning October 1, 2019, the estimated Solid Waste cost shall be allocated among all parcels of Assessed Property, based upon each parcel's classification as Residential Property and the number of Dwelling Units for such parcels. An annual rate of assessment equal to \$365.52 for each Dwelling Unit is approved. Solid Waste Service Assessments for Solid Waste Collection and Disposal Services, facilities or programs in the amounts set forth in the Assessment Roll, as approved, are levied and re-imposed on all parcels of Assessed Property described in the Assessment Roll.

(D) As authorized in Section 2.13 of the Ordinance, interim Solid Waste Service Assessments are also levied and imposed against all property for which a Certificate of

Occupancy is issued after adoption of this Resolution based upon the rates of assessment approved in this Resolution.

(E) Solid Waste Service Assessments shall constitute a lien upon the assessed property so assessed equal in rank and dignity with the liens of all state, county, district or municipal taxes and other Non-Ad Valorem assessments, except as otherwise provided by law, and such lien shall be superior in dignity to all other liens, titles and claims, until paid.

(F) The Assessment Roll, as approved, together with the correction of any errors or omissions as provided for in the Ordinance, shall be delivered to the Tax Collector for collection using the tax bill collection method in the manner prescribed by the Ordinance.

Section 4. That the Preliminary Rate Resolution is confirmed.

Section 5. That the adoption of this Annual Rate Resolution shall be the final adjudication of the issues presented including, but not limited to, the determination of special benefit and fair apportionment to the assessed property, the method of apportionment and assessment, the rate of assessment, the Assessment Roll and the levy and lien of the Solid Waste Service Assessments, unless proper steps shall be initiated in a court of competent jurisdiction to secure relief within twenty (20) days from the date of adoption of this Solid Waste Service Assessment Resolution.

Section 6. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 7. That this Annual Rate Resolution shall take effect on October 1, 2019.

PASSED AND ADOPTED on September 12, 2019.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

CITY OF DANIA BEACH

Agenda Request Item

Type of Request: Resolution

Continued from:

Requested Action (Identify appropriate Action or Motion)

ADOPT RESOLUTION AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING A TENTATIVE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR 2019-2020; PROVIDING FOR A PUBLIC HEARING WHEN OBJECTIONS WILL BE HEARD AND QUESTIONS CONCERNING THE BUDGET WILL BE ANSWERED

Purchasing Requests ONLY

Dept:

Acct #:

Amt:

Fund:

Fiscal Impact/Cost Summary

Exhibits Attached

R-2019- Tentative Annual Budget, Tentative Budget Summary-Exhibit A

RESOLUTION NO. 2019-107

A RESOLUTION OF THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA, AS REQUIRED BY THE CITY CHARTER AND SECTION 200.065, FLORIDA STATUTES, APPROVING A TENTATIVE ANNUAL BUDGET FOR THE CITY FOR THE FISCAL YEAR 2019-2020; PROVIDING FOR A PUBLIC HEARING WHEN OBJECTIONS WILL BE HEARD AND QUESTIONS CONCERNING THE BUDGET WILL BE ANSWERED; PROVIDING FOR CONFLICTS; FURTHER, PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Charter of the City of Dania Beach, Florida, requires that the City Commission shall, by Resolution, adopt an annual budget, determine the amount of millage necessary to be levied and publish the budget so adopted, together with a notice stating the time and place where objections to it may be heard; and

WHEREAS, the City Manager of the City of Dania Beach, Florida, has prepared and submitted to the City Commission an annual report covering the operation of the City and has set forth in it an estimate of the expenditures and revenues of the City for the ensuing year, beginning October 1, 2019 and ending September 30, 2020, with a copy of the report and estimate being on file in the office of the City Clerk so that any interested parties may view such copy upon request; and

WHEREAS, the City Manager has presented to the City Commission detailed information supporting such estimate, affording the City Commission a comprehensive understanding of the City Government for the ensuing period, including expenditures for corresponding items during the last two fiscal years and increased and decreased demands for the ensuing year as compared with corresponding appropriations for the last fiscal year; and

WHEREAS, the City Commission has met and carefully considered such annual report and estimate for the ensuing year, has prepared a tentative budget setting forth the amounts necessary to be raised for the various departments of the City and has appropriated the amounts to the various departments of the City considering the applicable funds on hand and the estimated departmental revenues;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF DANIA BEACH, FLORIDA:

Section 1. That a tentative budget for the City of Dania Beach, Florida, for the fiscal year beginning October 1, 2019 and ending September 30, 2020, is adopted (subject to the public hearing for which provision is subsequently made below). A copy of the tentative budget summary is attached to this Resolution and made a part of it as “Exhibit A”, and the appropriations set out in it are made for the maintenance and carrying on of the government of the City of Dania Beach, Florida, and for the purpose of paying debt service requirements, if any, of the City for the fiscal year beginning October 1, 2019 and ending September 30, 2020.

Section 2. That all delinquent taxes, collected as proceeds from levies of operating millages for former years are specifically appropriated for the use and benefit of the “General Fund”.

Section 3. Automatic Amendment: The Fiscal Year 2019-2020 budget is automatically amended to reappropriate open purchase order encumbrances that have not been closed by the Finance Department as a normal function of the City’s fiscal year end review, fund outstanding contracts, fund required payments on approved City debt, and fund capital projects reserved or unexpended from prior years including Fiscal Year 2019-2020 such appropriations having been previously approved by the City Commission.

Section 4. Contingency Funds: That department heads or their designees shall only be allowed to transfer funds from their designated contingency accounts below an aggregate amount of Twenty five thousand dollars (\$25,000.00) per fund with City Manager approval. Aggregate amounts above the Twenty five thousand dollars (\$25,000.00) threshold per fund that are requested to be transferred from Contingency must be approved by the City Commission.

Section 5. That the City Commission of the City of Dania Beach will meet in the City Commission Chamber in the City Hall (100 West Dania Beach Boulevard, Dania Beach, Florida 33004) on September 23, 2019 at 5:01 p.m. for the purpose of finalizing the budget and answering questions concerning it. The City Manager shall specify the purposes for which ad valorem tax revenues are being increased or decreased, if any, over the “rolled back rate”. A notice of this public hearing shall be published in strict compliance with the provisions of Section 200.065(2) (d) and Section 200.065(3), Florida Statutes.

Section 6. That City staffing positions and capital expenditures reflected and approved in the annual budget establish Commission consent over these areas and that all

additions to these items shall be approved through Commission approval of an amendment to the approved budget.

Section 7. That the City Commission reaffirms its annual goals to achieve and maintain a minimum available Unassigned Fund Balance equal to at least 25% of the annual expenditures in the approved General Fund budget and an additional Disaster Emergency Fund Balance equal to approximately 16% of the annual expenditures for unforeseen disasters such as floods, hurricanes or other emergencies as identified by the City Commission.

Section 8. That all resolutions or parts of resolutions in conflict with this Resolution are repealed to the extent of such conflict.

Section 9. That this Resolution shall take effect and be in force immediately upon its passage and adoption.

PASSED AND ADOPTED on September 12, 2019.

ATTEST:

THOMAS SCHNEIDER, CMC
CITY CLERK

LORI LEWELLEN
MAYOR

APPROVED AS TO FORM AND CORRECTNESS:

THOMAS J. ANSBRO
CITY ATTORNEY

City-wide All Funds Summary

	2017 Actual	2018 Actual	2019 Budget	2019 Manager Recommended
Revenues / Resources				
General Fund	\$ 51,049,962	\$ 57,653,776	\$ 57,656,565	\$ 57,314,382
Water Fund	5,830,929	6,321,339	6,881,824	6,123,842
Sewer Fund	6,699,951	7,058,791	8,352,048	7,152,404
Stormwater Fund	2,096,535	2,082,723	9,501,744	2,152,548
Marina Fund	916,246	998,984	1,042,263	1,059,831
Building Fund	3,340,779	4,175,987	5,124,818	5,268,000
Parking Fund	1,698,548	1,829,655	1,684,267	1,588,218
Pier Fund	476,755	579,458	918,859	914,098
Debt Service Fund	----- funded by transfers from other City funds -----			
Total Revenue	\$ 72,109,704	\$ 80,700,713	\$ 91,162,388	\$ 81,573,323
Expenses / Expenditures				
General Fund	\$ 49,155,586	\$ 53,635,182	\$ 57,656,565	\$ 57,314,382
Water Fund	5,509,504	5,578,109	6,881,824	6,123,842
Sewer Fund	5,188,481	5,590,587	8,352,048	7,152,404
Stormwater Fund	1,616,070	1,529,565	9,501,744	2,152,548
Marina Fund	940,852	1,033,762	1,042,263	1,059,831
Building Fund	2,420,395	3,569,967	5,124,818	5,268,000
Parking Fund	1,288,380	1,684,267	1,684,267	1,588,218
Pier Fund	517,216	536,106	918,859	914,098
Total Expenses	\$ 66,636,484	\$ 73,157,545	\$ 91,162,388	\$ 81,573,323
Net Surplus (Deficit)	\$ 5,473,220	\$ 7,543,168	-	-